

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT REUTHER,

Plaintiff,

No. 07-CV-12249-DT

vs.

Hon. Gerald E. Rosen

LONNIE CHAPMAN, et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION AND GRANTING, IN PART,  
DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on March 30, 2009

PRESENT: Honorable Gerald E. Rosen  
Chief Judge, United States District Court

This Section 1983 civil rights action having come before the Court on the February 11, 2009 Report and Recommendation of U.S. Magistrate Judge Mona K. Majzoub, recommending that the Court grant, in part, Defendants' December 5, 2008 Motion for Partial Summary Judgment; and no timely filed objections having been filed to the Report and Recommendation; and the Court having reviewed the Magistrate Judge's Report and Recommendation and the Court's file of this action and having concluded that Defendants' Motion for Partial Summary Judgment should be granted as recommended by the Magistrate Judge; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's

Report and Recommendation of February 11, 2009 [Dkt. # 68] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion for Partial Summary Judgment [Dkt. # 61] is GRANTED, IN PART. As recommended by the Magistrate Judge,

IT IS FURTHER ORDERED that all of Plaintiff's claims of conspiracy are DISMISSED, WITH PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's federal claims against Defendants Miks, Liddell, Sgt. York, Byerle, Murphy, Cottogim, Rosenberg, Gwinn, Crane, Morris, Morse, Zimmerman and Sheriff Bezotte are DISMISSED, WITH PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's state law claims against these same Defendants (Miks, Liddell, Sgt. York, Byerle, Murphy, Cottongim, Rosenberg, Gwinn, Crane, Morris, Morse, Zimmerman and Sherriff Bezotte) are DISMISSED, WITHOUT PREJUDICE.

According, this action shall proceed only on Plaintiff's claims against Deputy Chapman, Sgt. Davis, and Deputy Polselli.<sup>1</sup>

s/Gerald E. Rosen  
Chief Judge, United States District Court

Dated: March 30, 2009

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<sup>1</sup> Deputy Polselli's name is incorrectly spelled in Plaintiff's Complaint as "Perelli."

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 30, 2009, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager